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CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 18th May, 2021

No. 13/1/9515-HII(2)-2021/5313.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL), dated 28.7.2004, the undersigned hereby publish the following award bearing reference No. 68/2018, dated 10.04.2021 delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between:

KEWAL BHARTI S/O SHRI AMAR NATH, REPORTER, R/O HOUSE NO. 4/77,
JAGDAMBAY NIWAS, KAIMBWALA, UT, CHANDIGARH (Workman)

AND

1. JAGRAN PARKASHAN LIMITED THROUGH ITS CHAIRMAN/CEO, D-210-211, SECTOR 63, NOIDA, GAUTAM BUDH NAGAR, NOIDA.
2. CHAIRMAN/CEO, JAGRAN PARKASHAN LIMITED, D-210-211, SECTOR 63, NOIDA, GAUTAM BUDH NAGAR, NOIDA.
3. CHAIRMAN/CHIEF EXECUTIVE OFFICER, JAGRAN PRAKASHAN LIMITED, S.C.O NO. 43-44, SECTOR 8-C, CHANDIGARH (Management).

AWARD

1. Below mentioned Reference bearing Endorsement No.13/1/9515-HII(2)-2018/11328, dated 26.07.2018 received from the Secretary Labour, Chandigarh Administration is being disposed of :—

"Whether the arrears of revision of pay to Sh. Kewal Bharti (LD0183) S/o Sh. Amar Nath, Reporter, R/o House No.4/77, Jagdambay Niwas, Kaimbwala, UT, Chandigarh (Workman/Applicant) were to be paid by 1. M/s Jagran Parkashan Ltd. Through its Chairman/CEO, D-210-211, Sector 63, Noida, GautamBudh Nagar, Noida. 2. Chairman/CEO, Jagran Parkashan Ltd. D-210-211, Sector 63, Noida, GautamBudh Nagar, Noida. 3. The Chairman/Chief Executive Officer, Jagran Parkashan Ltd. SCO No.43-44, Sector 8-C, Chandigarh. (Managements) according to the recommendations of the Majithia Wage Board and also as per the direction of the Hon'ble Supreme Court of India under The

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Working Journalists And Other Newspaper Employee (Conditions of Service) And Miscellaneous Provision Act, 1955 and in compliance of the orders dated 28.04.2015, 12.01.2016, 14.03.2016, 23.08.2016 passed by the Hon'ble Supreme Court of India in CCP No. 128/2015 and 129/2015 AND WP (Civil) 246/2011 dated 07.02.2014; if so, to what effect and to what relief he is entitled to, if any ?"

2. Shri Kewal Bharti (hereinafter called 'workman') had served demand notice dated 27.03.2018 upon M/s Jagran Parkashan Limited & Others (hereinafter called 'management') under regarding payment of arrears pay and allowances to him on the basis of Majithia Wage Board Award as upheld by the Hon'ble Supreme Court in writ petition (Civil) No.256 of 2011 and for payment of Gratuity as per the revised pay scales according to Majithia Wage Board. Upon notice, the workman appeared in person. Claim statement filed. Case of the workman in nutshell is that he joined the management on 16.04.2004 as a Sub-Editor and confirmed as Sub-Editor / Reporter on 01.11.2005 and was further promoted as Correspondent on 01.01.2008 which is a post senior to the post of Senior Reporter. He is claiming ₹ 39,00,292/- including amount of interim relief along with arrears of gratuity, provident funds and leave encashment as per revised pay scales according to the recommendations of the Majithia Board and also as per the orders of Hon'ble Supreme Court of India in compliance with judgment dated 07.02.2014 passed by the Hon'ble Supreme Court of India in Writ Petition No.246 of 2011 and other connected writ petition along with 18% interest on it from the date of arrears become due till the date of actual payment.

3. The management contested the case of the workman and filed written statement that the workman had opted to retain his existing wages and existing emoluments by putting his signatures on the undertaking of Para 20(J) of the said Majithia Board recommendations, voluntarily, at his own and as per said para he is entitled for the same.

4. The workman filed replication. From the pleadings of the parties, following issues were framed:—

1. Whether the arrears of revision of pay to the workman were to be paid by the management, if so, to what effect and to what relief he is entitled to, if any ? OPW
2. Whether the present reference is not maintainable ? OPM
3. Whether this Court has no territorial jurisdiction to entertain the present reference ? OPM
4. Relief.
5. During the pendency of the present reference, the workman made the following statement :—

"At this stage I do not want to press the present reference. The same may be disposed of accordingly with a liberty to file fresh one."

Accordingly, the present reference is disposed off being not pressed with a liberty to file fresh one. Appropriate Government be informed. File be consigned to the record room.

Dated : 10.04.2021.

(Sd.) . . . ,
(ANSHUL BERRY),
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory Chandigarh.
UID No.PB0095

CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 18th May, 2021

No. 13/1/9781-HII(2)-2021/5315.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL), dated 28.7.2004, the undersigned hereby publish the following award bearing reference No. 6/2020, dated 10.04.2021 delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

JAIVEER S/O SHRI PURAN MAL, R/O 283, NEAR TATA TOWER, VILLAGE KAIMWALA, UNION TERRITORY, CHANDIGARH (Workman).

AND

R.J. MOTORS PRIVATE LIMITED THROUGH ITS OWNER/DIRECTORS/PROPRIETORS/MANAGER, SCF NO. 355, MOTOR MARKET, MANIMAJRA, CHANDIGARH (Management).

AWARD

1. This award shall dispose off the industrial dispute received in this Court under Section 2-A(2) of the Industrial Disputes Act, 1947 (*hereinafter called 'ID Act'*).

2. The case of the workman in nutshell is that he was appointed on 01.10.2018 by the management and on 31.05.2019 he was told by the owner Shri Rajan of the management that his services are no more required by the company. The management had illegally, arbitrarily and malafidely terminated the services of the workman without following the mandatory procedure laid down under the provisions of the ID Act.

3. During the pendency of the present industrial dispute, the parties settled their dispute amicably. The workman made the following statement :—

"The matter has been compromised with respondent. Today I am receiving cheque No.340912 of Rs.25,000/- from respondent. So I withdraw the present reference fully satisfied. The matter be disposed of in Lok Adalat."

and the Director of the management made the following statement :—

"The matter has been compromised. We are handing over cheque No.340912 of Rs.25,000- to Jaiveer Sharma in court today."

4. In view the above statements, the present industrial dispute is disposed off as settled by way of compromise. Appropriate Government be informed. File be consigned to the record room.

Dated : 10.04.2021

(Sd.) . . . ,
(ANSHUL BERRY),
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory Chandigarh.
UID No.PB0095

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